

November 5, 2021

**STATE 404 PROGRAM
PUBLIC NOTICE**

Permit Application No. 56-0397052-001-SFI

TO WHOM IT MAY CONCERN: The Department of Environmental Protection has received an application for a State 404 Program permit pursuant to 62-331, Florida Administrative Code, as described below:

APPLICANT: Florida Department of Transportation
c/o Olivia Bonilla
3400 West Commercial Blvd.
Fort Lauderdale, FL 33309
954-777-4567

LOCATION: The proposed trail/path extends from Southeast Walton Road (MP 2.646) north to Lennard Road at Kitterman Road (MP 9.426), within the natural areas contained within the Savannas Preserve State Park, in St. Lucie County, Florida.

APPROXIMATE CENTRAL COORDINATES:
Latitude 27.337777° Longitude 80.310828°

PROJECT PURPOSE: As part of the Share Use Nonmotorized Trail Network (SUN Trail Network), the purpose of the proposed multi-use path is to provide public access and recreational use through the Savannas Preserve State Park.

PROPOSED WORK: The applicant seeks authorization to construct a 6.8-mile-long, multi-use path through the Savannas Preserve State Park. The trail is proposed under the Shared-Use Nonmotorized (SUN) Trails program. The proposed trail/path will go from Southeast Walton Road (MP 2.646) north to Lennard Road at Kitterman Road (MP 9.426), in St. Lucie County, Florida. Depending on the location the path will consist of a 10-foot wide concrete path or an 8-foot wide boardwalk. At-grade or filled paths will be constructed where hydrologic connectivity is not required (where wetlands abut berms for example). Boardwalks will be installed in locations to maintain hydrologic connectivity to wetlands located on either side of the proposed path. The project will also include installation of 19 culverts in naturally occurring, non-boardwalk areas to facilitate overland sheet flow. The proposed work includes direct impacts to 1.50 acres of freshwater herbaceous wetlands to be mitigated through the purchase of credits from the Bluefield Ranch Mitigation Bank (BRMB).

EXISTING CONDITIONS: The proposed trail is located primarily within the natural areas contained within the Savannas Preserve State Park. The majority of the trail is located within upland areas (pine flatwoods, FLUCCS 411). A total of 1.49 acres of wetland impacts (1.41 acres of wet prairie-FLUCCS 643 and 0.0776 acres of freshwater marsh-FLUCCS 641) and 0.28 acres of impacts to other surface waters (FLUCCS 510 and 511) are anticipated as part of this project (for a total of 1.771 acres).

AVOIDANCE AND MINIMIZATION INFORMATION: Based on information provided by the applicant, the project has been designed in a way to avoid and minimize impacts to adjacent wetlands to the greatest extent practicable. Avoidance and minimization efforts include realignment of the path to avoid and reduce impacts to wetlands, while also allowing connectivity/water flow between wetlands. The project design incorporates 19 culverts in paved, non-boardwalk locations, at naturally low-lying areas to facilitate historical overland sheet flow to avoid impacts to the Preserve's hydrology. To minimize the footprint of the project, the width of the path/trail was reduced to the minimum allowed by FDOT Standards.

COMPENSATORY MITIGATION:

FDOT is planning to use freshwater herbaceous credits previously purchased from the BRMB (between the years 2004 and 2019) to provide mitigation for the wetland impacts associated with this project. The Wetland Rapid Assessment Procedure (WRAP) was used to calculate the number of BRMB mitigation credits that would be required for this project. According to the WRAP calculations, 0.82 freshwater herbaceous credits will be required as mitigation for this project. These credits have been debited from FDOT's outstanding balance of 42.68 freshwater herbaceous credits from the BRMB.

CULTURAL RESOURCES:

The Department has requested review from the State Historic Preservation Officer (SHPO) and those federally recognized Tribes with concerns in Florida and the permit area. No comments have been received.

FEDERALLY AND STATE-LISTED SPECIES: The Department has requested review from the Florida Fish and Wildlife Conservation Commission (FWC) and the US Fish and Wildlife Service (USFWS), and the below comments have been received.

FEDERALLY AND STATE-LISTED SPECIES: The project is located within the U.S. Fish and Wildlife Service's (USFWS) Consultation Areas for the Everglade snail kite (*Rostrhamus sociabilis plumbeus*, Federally Endangered [FE]), Florida grasshopper sparrow (*Ammodramus savannarum floridanus*, FE), red-cockaded woodpecker (*Picoides borealis*, FE), Florida scrubjays (*Aphelocoma coerulescens*, Federally Threatened [FT]), and Audubon's crested caracara (*Polyborus plancus audubonii*, FT). The project is also located within a Core Foraging Area (CFA) for the wood stork (*Mycteria americana*, FT), and potential habitat for the eastern indigo snake (*Drymarchon corais couperi*, FT). The project may also impact the gopher tortoise (*Gopherus polyphemus*, State Threatened [ST]), Florida pine snake (*Pituophis melanoleucus mugitus*, ST), Florida sandhill crane (*Antigone canadensis pratensis*, ST), little blue heron (*Egretta caerulea*, ST), roseate spoonbill (*Platalea ajaja*, ST), and tricolored heron (*Egretta tricolor*, ST).

The Florida Fish and Wildlife Conservation Commission (FWC) has determined the proposed project would have no effect for the Everglade snail kite, Florida grasshopper sparrow, red-cockaded woodpecker, Florida scrub-jay, and Audubon's crested caracara and that the project may affect but is not likely to adversely affect the wood stork and eastern indigo snake.

Wood Stork: The project lies within the 18.6-mile CFA buffer for the Sewall Point MC2 – Bird Island and North Fork St. Lucie River colony sites. The wood stork is typically found in freshwater marshes, swamps,

lagoons, ponds, flooded fields, and brackish wetlands with critical foraging habitat defined by shallow water, generally six to ten inches in depth. The Natural Resource Evaluation Report indicated that wood storks were observed foraging onsite during both the 2017 and 2019 surveys performed by the applicant. The applicant is proposing to provide mitigation for impacts to wood stork CFA through the purchase of compensatory mitigation credits through a USFWS-approved mitigation bank within the appropriate CFA and of matching hydroperiod of the proposed impacts, and the project is not contrary to the Habitat Management Guidelines for the Wood Stork in the Southeast Region. Use of the Peninsular Wood Stork Effects Determination Key resulted in the following sequential determination: A > B > C > E = “not likely to adversely affect.”

Eastern Indigo Snake: The eastern indigo snake inhabits dry scrub, sandhills, wet prairies, and hydric hardwood hammocks and are often found in or around gopher tortoise burrows. No Eastern indigo snakes were observed during the applicant’s 2019 survey, but the applicant assumes their presence due to the presence of at least 77 potentially active gopher tortoise burrows. The applicant has proposed to implement the USFWS approved Standard Protection Measures for the Eastern Indigo Snake during the clearing and construction phases of the project. The applicant has also indicated that all potentially impacted gopher tortoise burrows will be excavated with the tortoises relocated within the state park and any incidentally captured eastern indigo snakes being released as near to the point of capture as practical. The potential impacts to the eastern indigo snake were evaluated using the USFWS interim guidance for consultation determinations. In accordance with this guidance, any project within a 0.62-mile buffer of a documented occurrence of this species is deemed as having the potential to affect the species. In consideration of the applicant’s proposed minimization measures, the FWC has determined that the project is “not likely to adversely affect” this species.

Everglade Snail Kite: The project lies within the consultation area for the Everglade snail kite. Foraging habitat for this species consists of relatively shallow wetland vegetation, either within extensive marsh systems, or in lake littoral zones and kites almost always nest in areas with good foraging habitat nearby. Its preferred habitat is lowland freshwater marshes mostly in the watersheds of the Everglades, Lakes Okeechobee and Kissimmee, and the upper St. Johns River. No Everglade snail kites were observed during the applicant’s wildlife surveys performed in 2017 and 2019 and the applicant has determined that, while there is potential habitat within the adjacent state park, no suitable habitat will be impacted by this project. In consideration of this information, the FWC has determined that the project will have “no effect” on this species.

Florida Grasshopper Sparrow: The project lies within the consultation area for the Florida grasshopper sparrow. Florida grasshopper sparrow habitat consists of dry, open prairies that contain bunch grasses, low shrubs, and saw palmetto. The applicant observed no evidence of grasshopper sparrow use of this site while performing surveys for their Natural Resource Evaluation Report and indicated that the site does not contain suitable habitat. Use of the Florida Grasshopper Sparrow Effects Determination Key resulted in the following sequential determination: 1a > 2b = “no effect.”

Red-Cockaded Woodpecker: The project lies within the consultation area for the red-cockaded woodpecker. This woodpecker lives and forages in mature pine forests, specifically those with longleaf pines averaging over 80 to 120 years old and loblolly pines averaging 70 to 100 years old. The red-cockaded woodpeckers live in groups with a breeding pair and as many as four helpers, usually male offspring from the previous year. Each group needs about 200 acres of old pine forest to support its

foraging and nesting needs. No potential habitat is present onsite, and no red-cockaded woodpeckers were observed during the applicant's survey, according to the Natural Resource Evaluation Report. Use of the Peninsular Red-Cockaded Woodpecker Effects Determination Key resulted in the following sequential determination: 1a > 2b = "no effect."

Florida Scrub-Jay: The project lies within the consultation area for the Florida scrub-jay. The Florida scrub-jay lives only in the scrub and scrubby flatwoods habitats of Florida. This type of habitat grows only on nearly pure, excessively well-drained sandy soils, and occurs along present coastlines in Florida, on palaeodunes of the high central ridges and other ancient shorelines of the Florida Peninsula, and inland on scattered alluvial deposits bordering several major rivers. As discussed in the applicant's Natural Resource Evaluation Report, no likely habitat for this species is present onsite and, while the species has been observed in the adjacent state park, no Florida scrub-jays have been observed in the vicinity of the project despite bi-weekly surveys by park staff. Use of the Florida Scrub-Jay Effects Determination Key resulted in the following sequential determination: 1a > 2b > 3a > 4b = "no effect."

Audubon's Crested Caracara: The project lies within the consultation area for Audubon's crested caracara. The Audubon's crested caracara preferentially occupies wet prairies with cabbage palms but can also be found in wooded areas with saw palmetto, cypress, scrub oaks, and pastures. In the Natural Resource Evaluation Report, the applicant stated that no Audubon's crested caracara were observed during surveys performed in 2017 and 2019 and no suitable habitat was identified onsite. Use of the Florida Audubon's Crested Caracara Effects Determination Key resulted in the following sequential determination: 1a > 3b > 4b = "no effect."

Gopher Tortoise: Gopher tortoises are found in dry, sandy soils in habitats such as sandhills, xeric oak, and dry pine flatwoods. The applicant's Natural Resource Evaluation Report indicated that 77 potentially occupied burrows were observed during their October 2019 survey. The applicant anticipated performing a 100% gopher tortoise burrow prior to the start of construction and pursuing a Conservation Permit from FWC to allow for the excavation of all potentially impacted burrows and the relocation of all captured tortoises within the state park. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit based on these commitments.

Florida Pine Snake: Florida pine snakes are naturally secretive and can spend up to 80 percent of their lives in underground refuges like stump holes and the burrows formed by gopher tortoises, armadillos, and mice. They traditionally occupy habitats with open canopies and dry, sandy soils. Florida pine snakes have historically occurred in this area, and potentially suitable habitat may occur onsite. FWC staff will work with the applicant to determine any necessary permit conditions for the State 404 permit based on this information.

Florida Sandhill Crane: The Florida sandhill crane can be found in freshwater ponds and marshes, as well as pastures and prairies. As detailed in the applicant's Natural Resource Evaluation Report, Florida sandhill cranes have been observed foraging onsite and have been confirmed nesting within 2 miles of the project area. The applicant has committed to performing a preconstruction nest survey, maintain a 400-foot buffer around nests when possible, and consulting with FWC when buffers are not possible. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit based on these commitments.

State-listed Wading Birds: The marshes and herbaceous wetlands present onsite represent potential habitat for state-listed wading birds, specifically the little blue heron, roseate spoonbill, and tricolored heron. All three species have been observed foraging onsite, but no nests have been identified by the applicant. The applicant has determined that the minimal wetland impacts, and proposed wetland mitigation would result in no significant impacts to these species. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to Jacquelyn DeAngelo at 3301 Gun Club Road, MSC 7210-1, West Palm Beach, FL 33406, or by electronic mail at Jacquelyn.DeAngelo@FloridaDEP.gov, with a copy to SED_404@FloridaDEP.gov, within 30 days from the date of this notice. Written comments will be made part of the record and should reference the above permit application number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Any comments received will be considered by the Department to determine whether to issue, modify, condition, or deny a permit for this proposal. Unless a written request is filed with the Department within the 30-day public comment period, the Department may decide on the application without a public meeting.

EVALUATION: The determination as to whether a permit will be issued, or a public meeting held, will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public interest, including, but not limited to, fish, wildlife, historical resources, and pollution. The specific permit decision criteria can be found in Chapter 62-331, Florida Administrative Code.

The Department is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties to consider and evaluate the impacts of this proposed activity. To make this consideration, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and other public interest factors. Comments are also used to determine the need for a public meeting and to determine the overall public interest of the proposed activity.

FOR FURTHER INFORMATION regarding this application, contact the project manager, Jacquelyn DeAngelo, in writing at 3301 Gun Club Road, MSC 7210-1, West Palm Beach, FL 33406; by electronic mail at Jacquelyn.DeAngelo@FloridaDEP.gov; or by telephone at 561-681-6679. Please include the permit application number referenced at the top of this page in any correspondence.

REQUEST FOR PUBLIC MEETING: Any person may request a public meeting. The request must be submitted to Jacquelyn DeAngelo within the designated comment period of the notice and must state the specific reasons for requesting the public meeting.

Attachments:

Site Location
Project Plans

CONTRACT PLANS COMPONENTS

ROADWAY PLANS
MISCELLANEOUS STRUCTURES PLANS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CONTRACT PLANS

FINANCIAL PROJECT ID 439999-2-52-01
ST. LUCIE COUNTY (94931)
SAVANNAS SUNTRAIL (SOUTH TRAIL)
FROM WALTON RD TO LENNARD RD

INDEX OF ROADWAY PLANS

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189	SELECTIVE CLEARING AND GRUBBING DETAILS
190	SIGNING AND PAVEMENT MARKING PLAN
SQ-1 - SQ-6	SUMMARY OF QUANTITIES

FOR WETLAND IMPACTS, SEE SHEET 17

GOVERNING STANDARD PLANS:

Florida Department of Transportation, FY 2020-21 Standard Plans for Road and Bridge Construction and applicable Interim Revisions (IRs).

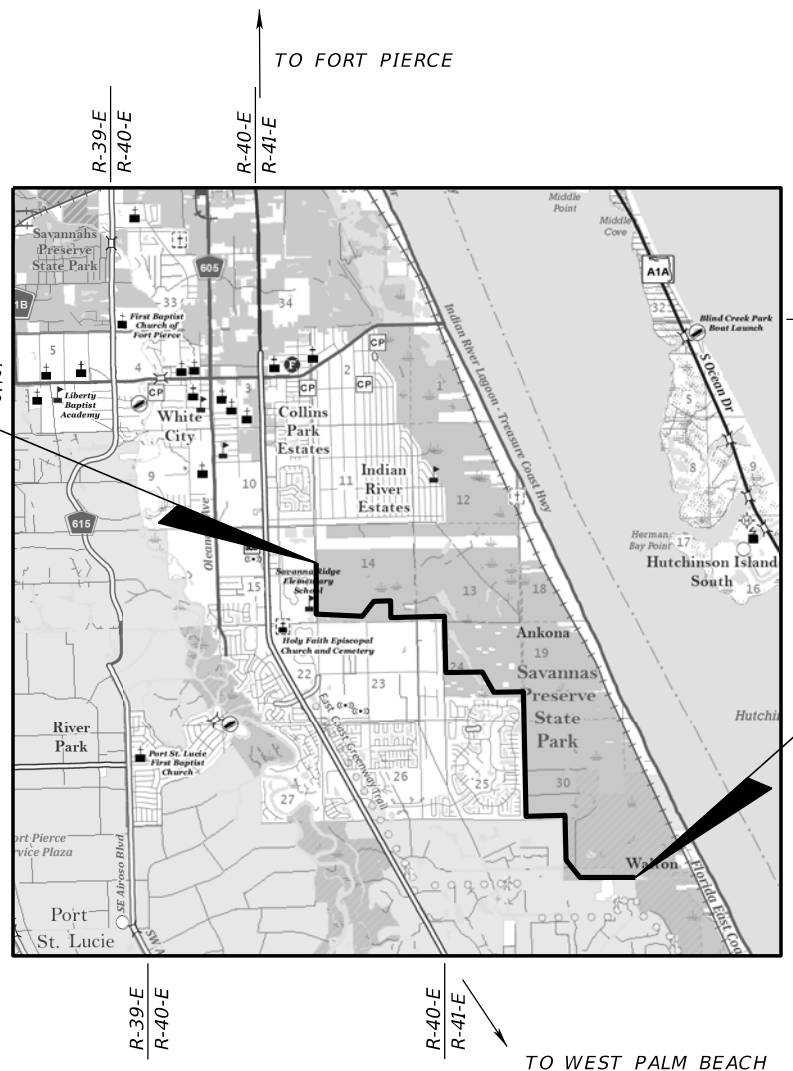
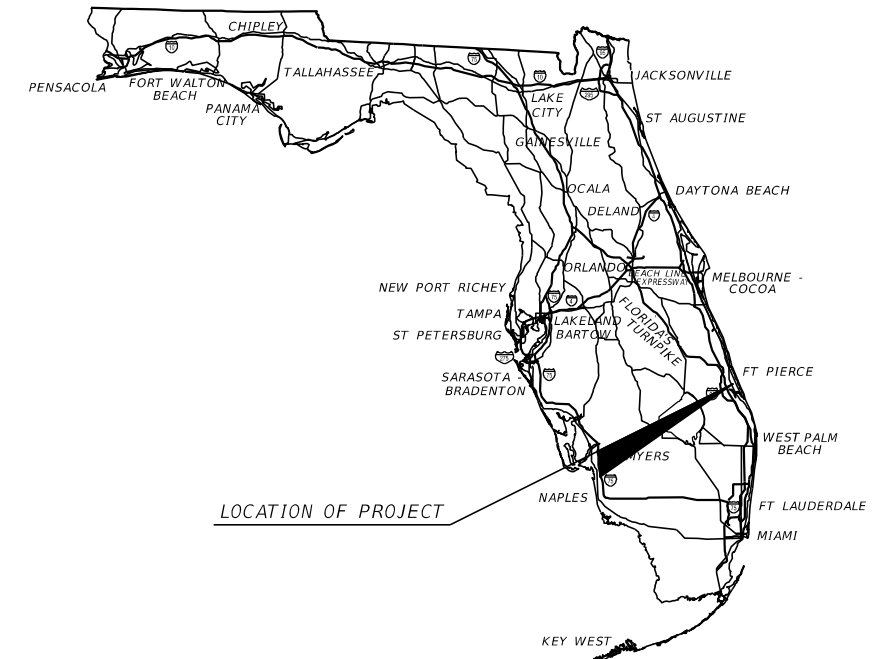
Standard Plans for Road Construction and associated IRs are available at the following website: <http://www.fdot.gov/design/standardplans>

APPLICABLE IRs: IR "(NONE)"

Standard Plans for Bridge Construction are included in the Structures Plans Component

GOVERNING STANDARD SPECIFICATIONS:

Florida Department of Transportation January 2021 Standard Specifications for Road and Bridge Construction at the following website: <http://www.fdot.gov/programmanagement/Implemented/SpecBooks>



END PROJECT
STA. 698+60.06
MP: 9.246

T-35-S
T-36-S

BEGIN PROJECT
STA. 100+00.00
MP: 2.646



**ROADWAY PLANS
ENGINEER OF RECORD:**

FERNANDO V. GOMEZ ,P.E. NO.:43956
SNUBBS CONSULTING INC.
9020 SW 137TH AVENUE, SUITE 250
(305) 885-6400
CONTRACT NO.: CA309
VENDOR NO.: F454140841001

FDOT PROJECT MANAGER:

JAMES HUGHES, P.E.

PERMIT SET
JUNE 2020

CONSTRUCTION CONTRACT NO.	FISCAL YEAR	SHEET NO.
	21	1

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CONTRACT PLANS COMPONENTS

ROADWAY PLANS
MISCELLANEOUS STRUCTURES PLANS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CONTRACT PLANS

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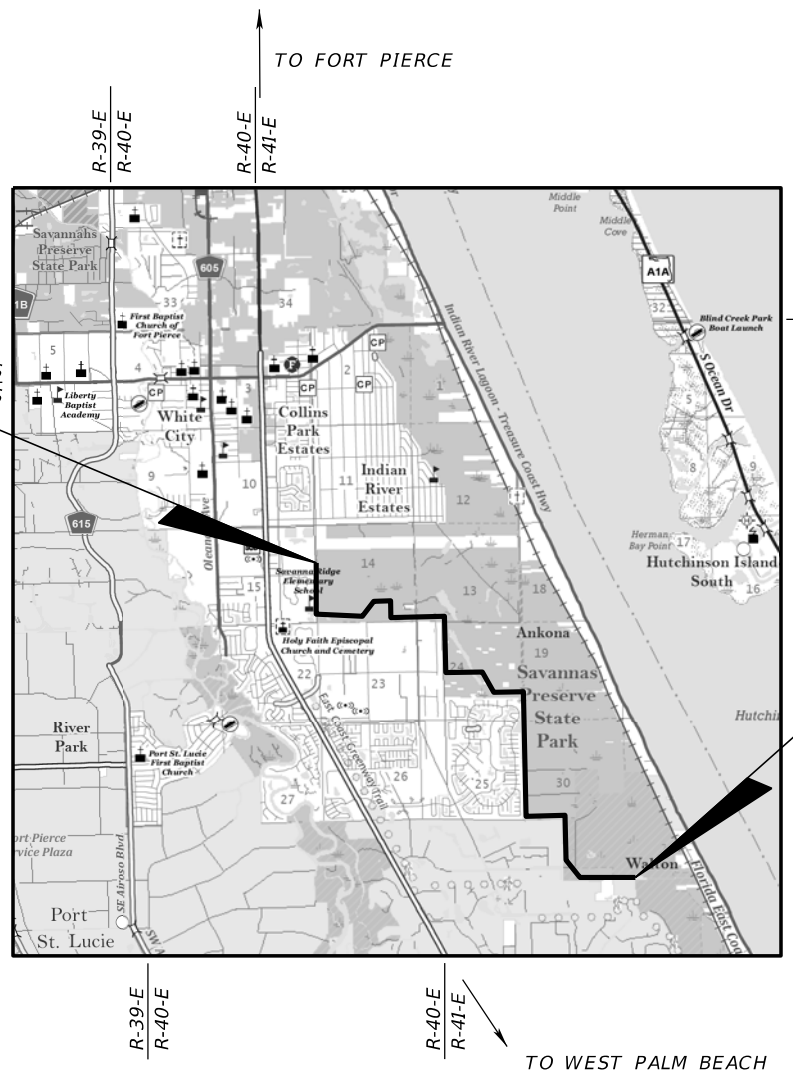
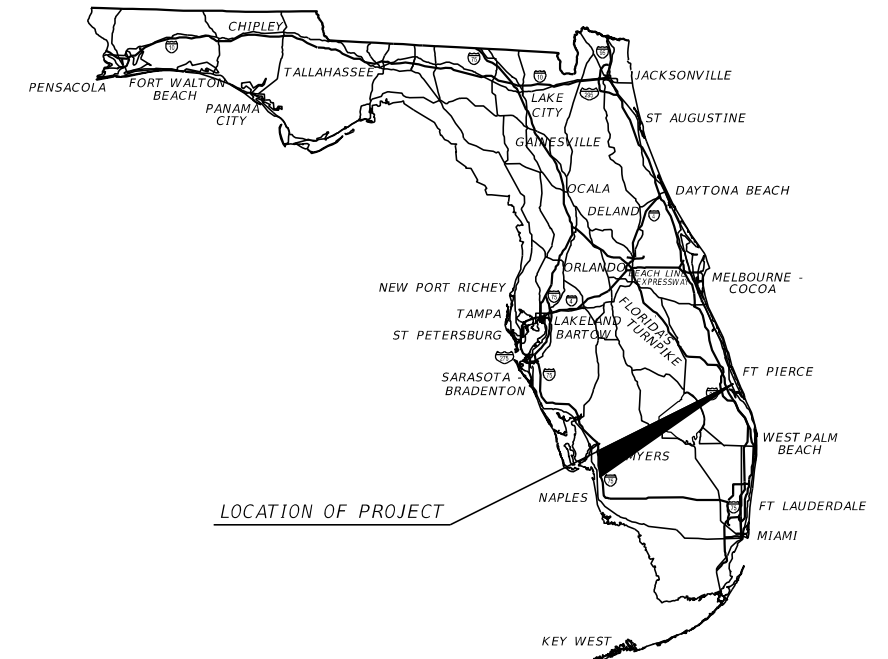
Standard Plans for Road Construction and associated IRs are available at the following website: <http://www.fdot.gov/design/standardplans>

APPLICABLE IRs: IR "(NONE)"

Standard Plans for Bridge Construction are included in the Structures Plans Component

GOVERNING STANDARD SPECIFICATIONS:

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END PROJECT
STA. 698+60.06
MP: 9.246

T-35-S
T-36-S

BEGIN PROJECT
STA. 100+00.00
MP: 2.646



**ROADWAY PLANS
ENGINEER OF RECORD:**

FERNANDO V. GOMEZ ,P.E. NO.:43956
SNUBBS CONSULTING INC.
9020 SW 137TH AVENUE, SUITE 250
(305) 885-6400
CONTRACT NO.: CA309
VENDOR NO.: F454140841001

FDOT PROJECT MANAGER:




JAMES HUGHES, P.E.

PERMIT SET
JUNE 2020




CONSTRUCTION CONTRACT NO.	FISCAL YEAR	SHEET NO.
	21	1

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Legend

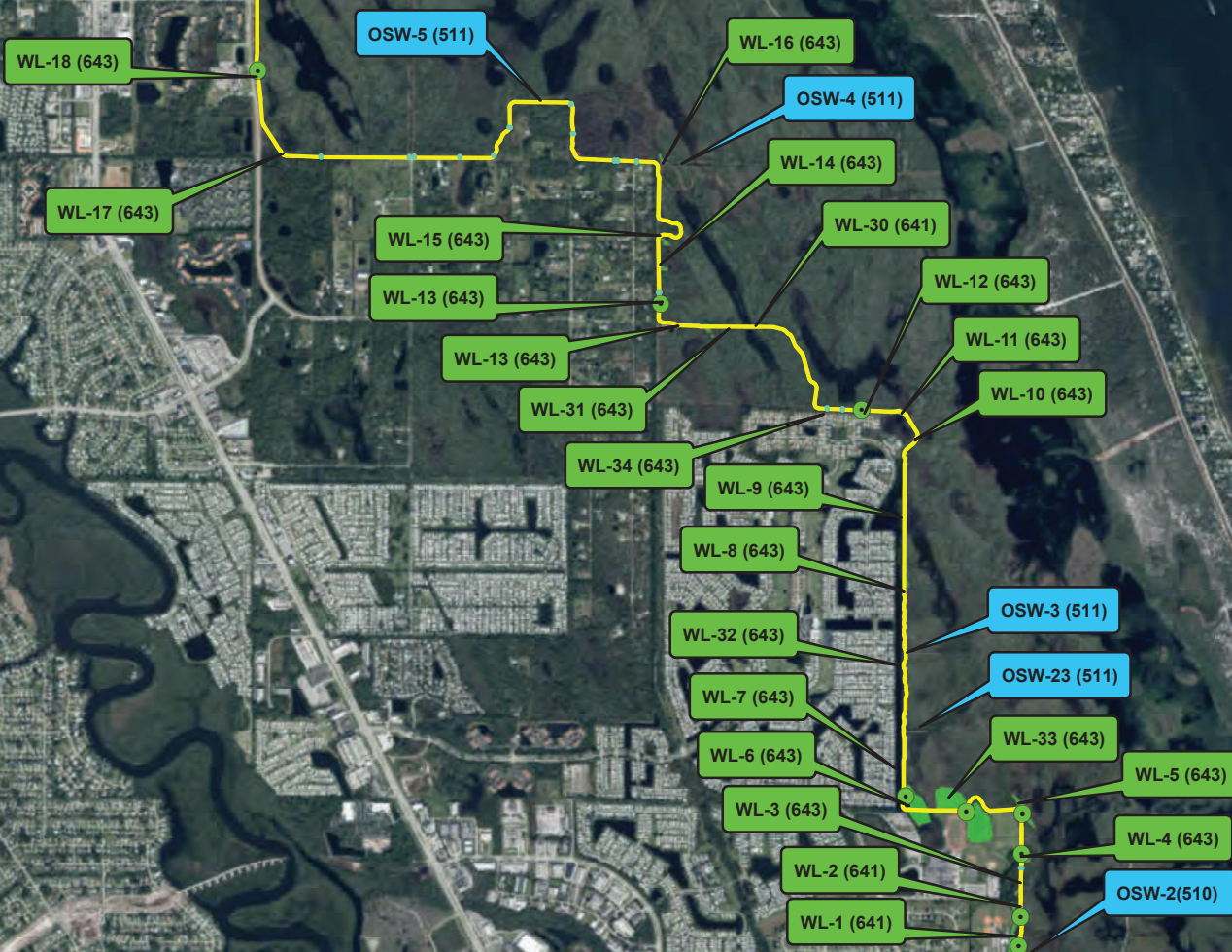
-  Boardwalk
-  Staging Areas
-  Soil Pit

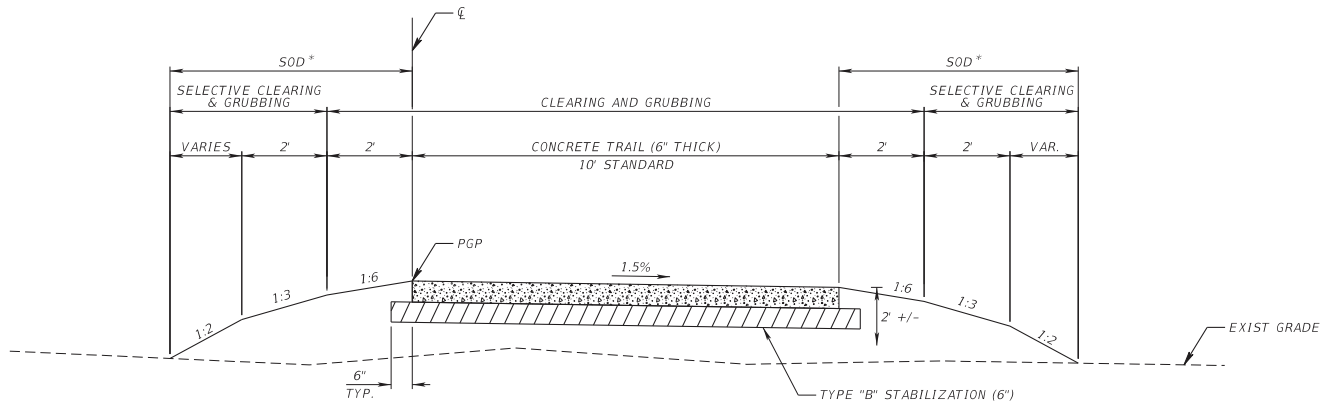
FLUCCS Description - Code Described in Callouts

-  Surface Water
-  Wetland
-  Additional Culverts

FLUCCS Polygons Offsite Determined From SFWMD LULC 2014-2015 and Aerial Image Interpretation Which May Extend Polygons Beyond What Is Shown On the Plans. Onsite Polygons Were Verified by SFWMD Field Surveys on 5/5/2020 and 5/14/2020.

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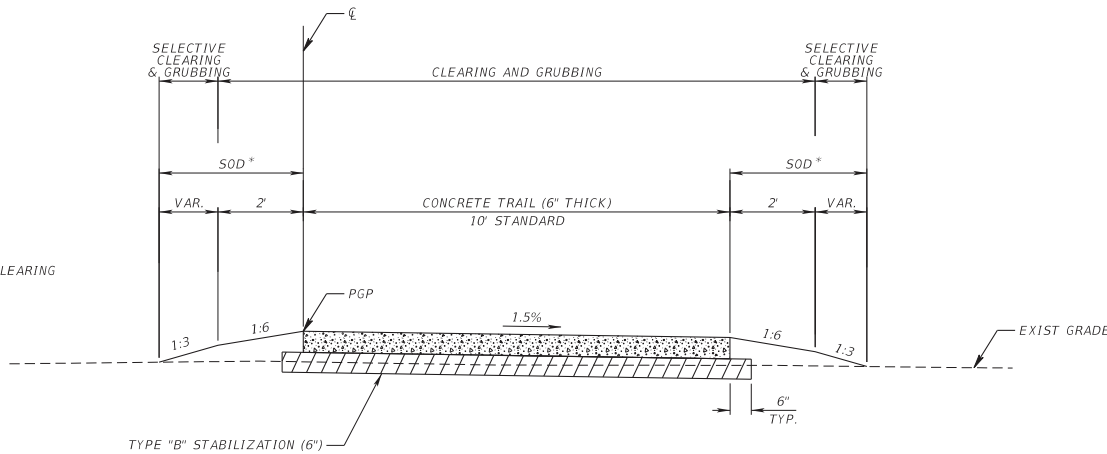




* NATIVE PLANTINGS ALLOWED IN THIS AREA

**ELEVATED TRAIL TYPICAL SECTION
LOW LYING AREAS**

DESIGN SPEED = 18 MPH



* NATIVE PLANTINGS ALLOWED IN THIS AREA

AT-GRADE TRAIL TYPICAL SECTION

NOTES:
1. FOR DETAILS AND LIMITS OF SELECTIVE CLEARING AND GRUBBING SEE

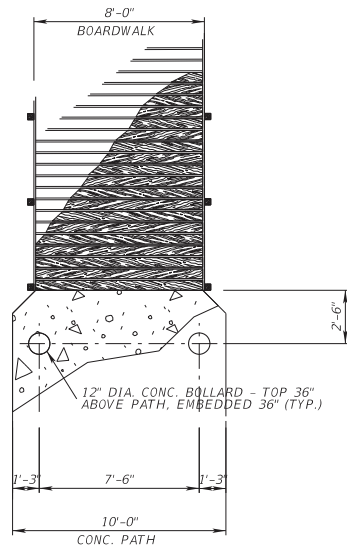
REVISIONS				FERNANDO V. GOMEZ, P.E. P.E. LICENSE NUMBER 43956 SNUBBS CONSULTING INC. 9020 SW 137TH AVENUE, SUITE 250 MIAMI, FLORIDA 33186 CERTIFICATE OF AUTHORIZATION 30424	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			TYPICAL SECTION SHEET NO. 9
DATE	DESCRIPTION	DATE	ROAD NO.		COUNTY	FINANCIAL PROJECT ID		
					ST. LUCIE	439999-2-52-01		

Kedy.Guzman

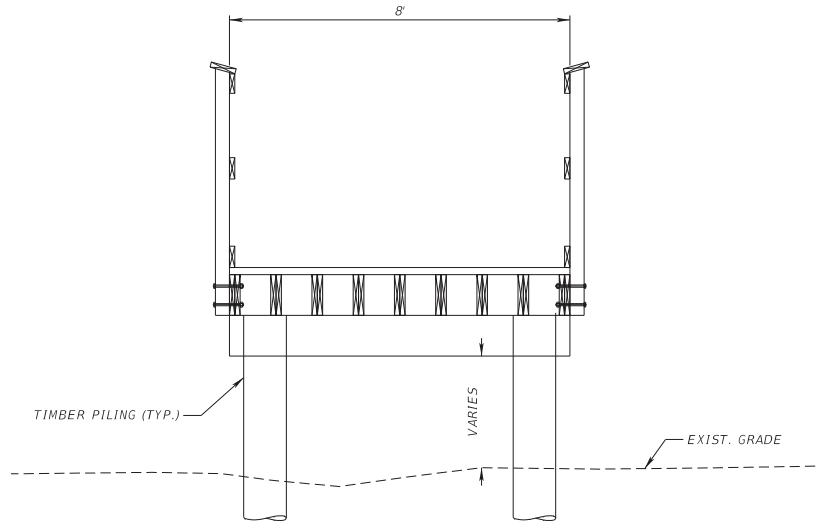
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BOLLARD DETAIL AT
BOARDWALK ENTRANCES



ELEVATED BOARDWALK TYPICAL SECTION

NOTE:

1. REFER TO MISC. STRUCTURE PLANS FOR BOARDWALK DESIGN

REVISIONS				FERNANDO V. GOMEZ, P.E. P.E. LICENSE NUMBER 43956 SNUBBS CONSULTING INC. 9020 SW 137TH AVENUE, SUITE 250 MIAMI, FLORIDA 33186 CERTIFICATE OF AUTHORIZATION 30424	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			SHEET NO. 10
DATE	DESCRIPTION	DATE	ROAD NO.		COUNTY	FINANCIAL PROJECT ID		
					ST. LUCIE	439999-2-52-01	<p style="text-align: center;"><i>TYPICAL SECTION</i></p>	